

COMMENTS FROM PLANNING COMMISSION

November 3, 2021

BLUE VISTA HILLS

Commission Member Stocking made the motion to approve Blue Vista Hills PUD *rezone* contingent upon a conceptual development plan being approved within the next year. Commission Member Bjoralt seconded the motion. All in favor and the motion carried.

CW THE LAKE, Preliminary

Commission Member House made the motion to approve the 5-lot subdivision located at 275 S. Bear Lake Blvd. Commission Member Stocking seconded the motion. All in favor and the motion carried.

SPINNAKER POINT AMENDED SUBDIVISION

Commission Member Stocking made the motion to approve the Spinnaker Point Subdivision Amendment from Condo to Townhome contingent upon a letter from a licensed professional saying that the building meets townhome requirements by November 11<sup>th</sup> and each unit will have its own water meter before November 3, 2022. Commission Member House seconded the motion. All in favor and the motion carried.

PARROTDISE CUP (Just FYI)

Commission Member House made the motion to approve the Conditional Use Permit for the storage container for Parrottdise. Make sure it's finished before Memorial Day. Commission Member Bjoralt seconded the motion. All in favor and the motion carried.

**MINUTES OF THE  
TOWN COUNCIL MEETING  
OF GARDEN CITY, UTAH**

The Garden City Town Council held their regularly scheduled meeting on Thursday, October 14, 2021, at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Leonhardt opened the meeting at 5:00 p.m.

Town Council Members present:

Mike Leonhardt, Mayor  
Pat Argyle  
Ken Hansen  
Howard Pope

Others Present:

Cathie Rasmussen  
Bess Huefner  
Kathy Hislop  
Dean Miller  
Japheth McGee  
Mark Smoot  
Richard Droesbeke

Glen Gillies  
Henry Shaw  
Solomon Boyce  
Claudia Condor  
Glen Gillies  
Martell Menlove  
Garth Day

On Teleconference

Norm Mecham

**Pledge of Allegiance and Prayer**

The pledge of allegiance was led by Mayor Leonhardt and a prayer was offered by Council Member Pope.

**1. Roll Call**

Mayor Leonhardt asked for a roll call of Council Members present: Mayor Leonhardt, Council Member Argyle, Council Member Hansen, Council Member Pope, and Council Member Parry was excused.

**2. Approval of Minutes**

Minutes of the Town Council Meeting and Public Hearing held on September 9, 2021

Council Member Hansen made the motion to accept the minutes of September 9, 2021, of the Town Council meeting and the Planning Commission Special Work Meeting dated

September 8, 2021. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

### **3. CAPSA**

#### **a. Henry Shaw -Service Awareness Educator**

Henry Shaw and Solomon Boyce shared statistics of the entire area from July 2020 to June 2021. There has been a significant rise in those served since Covid 19. They have a representative in Rich County once a week and are willing to do virtual programs, individual in person, and virtual services.

Invited the Town Council to ribbon cutting of their new facility on October 29, 2021.

### **4. Quarterly Reports**

- a. Town Engineer Report, Quinn Dance – about 12 developments are in various stages of review. Last month, the General Plan was presented to the public for discussion. The next phase of developing the Plan will be a survey targeting businesses, and then residents, land use, parks, trails, etc.

They are working on approvals for the new well site. There is a bid out right now for the road at 150 South. Last month they applied for the ARPA grant to receive funding assistance for the new well.

- b. Public Works, Riley Argyle – provided more info on 150 South. There will be a bike path along it. The sidewalk bid has been awarded to Bear Lake Landscape. They are still working on Heritage Park. Keeping busy with new construction water hook-ups. Argyle is trying to get bids on prefab restrooms at Heritage Park. If temperature will allow, Pickleball courts will be poured next week, then fencing will be put up.

When asked about running the beach next year, they expect we will, they just need to find beach attendants.

Plows are on and ready to go. There is some stockpiled salt and sand and more has been ordered.

- c. Building Inspector Report/Code Enforcement, Glen Gillies – 206 new residential building permits so far this year. 15 new commercial building permits so far this year. 26 incidents or investigations on Code Enforcement so far this year. Mr. Gillies feels we need to change Short-Term Rental parking requirements when he was asked if there are issues. Mayor Leonhardt agreed and asked Gillies to move forward with changing the parking requirements.

Mr. Mark Smoot offered the Chamber of Commerce services to assist with communicating to owners and property managers for short-term rentals to the Town Council.

- d. Bear Lake Valley Chamber of Commerce, Mark Smoot – 2 new board members have been added to replace those who resigned early, Patrick Floyd accepted a one-year term and Teri Eynon accepted a 2-year position. Three positions will be filled by the end of the month.

They hosted a “Meet the Candidates” night October 13, 2021. The Chamber will be doing a Christmas event with the assistance of Amy Lodbrock and the City. There will be a Christmas craft market and a concert. The Family Place may be there. They are pushing members to light the city, and they will assist with the Christmas Tree lighting again this year.

They are issuing a flyer of where to stay, where to eat, what to do, to help point people in the right direction to keep them busy while they visit during the non-summer months.

They have begun working on Winterfest and expanding their activities up in the sinks during it. They are working with the Forest Service on a non-motorized trail system by Sunrise Campground that they will groom during the winter.

Skijoring event is being planned again this year with the Wamsley Family.

Utah net growth is at 18%. There is a need to improve our trails with the Forest Service so people are not going off-trail or where they shouldn't.

- e. Bear Lake State Parks, Richard Driesbeke – Mr. Driesbeke stated statistics based on the fiscal year. Bear Lake State Park ranks #4 in revenue for the state. Revenues and park use continues to increase each year. Driesbeke also reviewed projects and other important issues facing the Bear Lake State Parks.
- f. Bear Lake Valley Convention and Visitor Bureau Report, Tami Leonhardt – Mrs. Leonhardt was not able to attend this month and will report next month.

## 5. PID Discussion

- a. Kathy Hislop provided information for PID's, Public Infrastructure District. It's a partnership between the developer, the city, and the financial institution. The developer gets the loan from the financial institution for the infrastructure and then the homeowner pays the loan back through paying higher taxes. The city gets creative planning for the PID. Mrs. Hislop encouraged the council to create a policy for PID's and get ahead of it before it comes to Garden City. She stressed that we need to make sure that our attorney is familiar with these, or that we use an attorney that is.

Japheth McGee from Zions Bank joined Hislop at the table and helped explain PIDs. He stressed that it's a brand-new taxing entity, so it is not on the city's books. The cap for interest rate is 15 mils, but the city can cap it at less than that. The city just gets creative control. The PID can only exist for a maximum of 40 years, but the city can limit that more. The Board of the PID cannot authorize anything that the city has

not authorized. 100 % of property owners in the PID must agree to it, so it's easier with a new development than with purchasing an existing one.

**6. Business Licenses/Amendment Discussion/Approval**

**b. Parrotidise Cool Treats, 550 W Logan Rd, Dean Miller**

Dean Miller has to go back to Planning Commission next month to explain what's being done with the container. The property owner submitted a letter to the Town Council that Mr. Miller does not have a current lease for the property in question.

Mayor Leonhardt told Mr. Miller that without a current lease, a business license cannot be granted and that the container on the property will not be able to stay there either.

No motion was made.

**7. Short Term Rental License Discussion/Approval**

- a. Jessica Sievers, 352 W Posies Dr. Vacasa
- b. Kristine Mullen, 794 Cambry Dr.

Council Member Argyle made the motion to approve Short-Term Rental Licenses for Jessica Sievers and Kristine Mullen. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

**8. Public Comments, 2-minute time limit**

Bess Huefner wanted to thank the city for supporting the community pancake dinner.

Mayor Leonhardt called a 5-minute break.

**9. Bond Resolution**

- a. Consider adoption of a resolution authorizing the issuance of water revenue refunding bonds of the Town of Garden City. Japheth McGee, Zions Bank.

Japheth McGee from Zions Bank was present to explain the refunding of the 2008A water bond. The city will save \$5000 dollars a year over the next 9 years at 1.55% interest. The actual funding is for \$1.241 million, and Zions put at \$1.4 million and 5% interest as the maximum parameters. The resolution authorizes the Mayor, Town Clerk or any other person decided upon to make final edits to the resolution.

The town has to provide \$1.358 million dollars to pay off the bonds. \$15,000 for cost of issuance. The total rounding amount of use is \$1.374 million, but the town will use their debt service reserve fund to downsize the bond.

This is scheduled to close in November 2021.

Council Member Hansen made the motion to authorize the mayor, Cathie Rasmussen and Kathy Hislop to administer and approve the Bond Resolution. Council Member Argyle seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

#### **10. PUD Discussion/ Approval**

- a. Request Final Approval for Waterdance PUD, Phase 4, (4 buildings, with 4 units) Norm Mecham and Claudia Condor

Claudia Condor was present and Norm Mecham attended via teleconference. Mr. Mecham presented a revised Owner Dedication for Phase 4 that was handed to council members by Ms. Condor.

Mr. Mecham will have a mylar prepared with the change of the Owner Dedication.

Council Member Argyle made the motion to approve the Final for Waterdance PUD, Phase 4. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

- b. Request Final Approval for Bear Lake Escape PUD, Phase 3. Garth Day

Mayor Leonhardt stated that Planning Commission approved it on condition that the building is moved back. Mr. Day stated that he can't move the building, but he won't be putting it inside the setback. He was able to purchase the water shares that were needed. There is an agreement with the road on the Seasons side of the property, that they will not close the road. Mr. Day stated that he thought Stan Goodell wrote up an easement document and that it should have been submitted. The council has not seen anything to reflect that statement. Mr. Day's alternative is to create a hammerhead. The city does not want to take that road if it does not go all the way through.

Mayor Leonhardt asked for a letter or easement document stating that the road will be open all the way through even if it's not turned over to the city.

Council Member Argyle made the motion to give Final Approval for Bear Lake Escape PUD, Phase 3, with the exception that a statement be written that the road will remain open even as a private road. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

#### **11. Ordinance Discussion/Approval**

- a. Ordinance # 21-29, An Ordinance to Update the Definition of Roadway, Cul-De-Sac.

Council Member Pope made the motion to approve Ordinance # 21-29, An Ordinance to Update the Definition of Roadway, Cul-De-Sac as recommended by the P & Z. Council Member Argyle seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

## **12. Miscellaneous Item**

- a. Ballot Counters were discussed as Nadine Sprouse who was selected as a worker has left for the winter. An alternate needed to be selected. Lindsay Thompson and Chris Smoot were suggested as alternates.

Mayor Leonhardt stated that with the Councils approval, he was amending the agenda to make a motion on the poll workers.

Council Member Hansen made the motion to amend the agenda to appoint alternate poll workers, Lindsay Thompson and Chris Smoot. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

- b. Ken Hansen mentioned that Bess Huefner is really concerned about the boardwalk being in disrepair. Riley Argyle responded that it shifts all the time, so it always comes loose. He'd like to redo the whole top in expanded metal. Quinn Dance from JUB joined the discussion. Mr. Hansen asked Quinn Dance to research a solution for replacement options.
- c. Mayor Leonhardt shared that the Community Christmas party will be December 11<sup>th</sup> at Sunrise Event Center. There will be a pancake breakfast provided by the Smoot family. The city will do Santa and candy bags for the kids.
- d. November 29<sup>th</sup> will be the night that the Christmas tree will be lit. Council Member Argyle stated that there are not enough outlets for the lights, so they are really limited. She's working with Kathy Hislop on ordering lights. Mayor Leonhardt recommended Mrs. Argyle contact Lance Bourne. The mayor will talk to Steve Liechty.

Jeanie would like an MOU with the city releasing her from liability with having the tree at Raspberry Square.

## **13. Council Member Reports**

Ken Hansen – has nothing additional to report

Pat Argyle – Raspberry Days dinner will be November 8<sup>th</sup> at Coopers. Jessica Whitaker will be the chair again next year.

Howard Pope – trails are holding up but will need some work next spring. He hasn't ridden from Hodges Canyon parking lot up. Kenneth Hansen stated that a "prescriptive

easement” can be maintained, with regard to the trail up there. Riley Argyle said he would contact the county to pull that easement. Mayor Leonhardt said that the Forest Service will fix the trail, and has money to do so, as long as the agreement is in place.

Mayor – Had a meeting with Senator Chris Wilson and UDOT. They toured around town and on the trails and is hoping to get funding for these projects. He feels completing Paradise Parkway is a priority. The mayor said Sen. Wilson thought there was money for 2 traffic lights for us. He’s going to check the traffic studies and see if that will be possible.

#### **14. Payment Vouchers**

Council Member Argyle made the motion to pay the bills. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

#### **15. Adjournment**

Council Member Argyle made the motion to adjourn. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

#### **16. Executive Session**

Council Member Argyle made the motion to go into Executive Session at 7:57 p.m. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

#### **Minutes will be kept in another record**

Council Member Argyle made the motion to return to regular Town Council meeting at 8:03 p.m. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

#### **17. Re-Opened the Regular Town Council Meeting at 8:03 pm**

Council Member Hansen made the motion to purchase the land necessary to drill the well at the south end of town on the Norman Mecham property. Council Member Argyle seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

#### **18. Adjournment**

There being no further business, Council Member Pope made the motion to adjourn at 8:07 p.m. Council Member Hansen seconded the motion.



APPROVAL:

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Michael Leonhardt, Mayor

Attest:

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Cathie Rasmussen, Assistant Town Clerk

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**MINUTES OF THE  
SPECIAL MEETING OF THE TOWN COUNCIL  
OF GARDEN CITY, UTAH**

The Garden City Town Council held a special meeting on November 10<sup>th</sup>, 2021, at the Garden City Office Building located at 69 N. Paradise Parkway, Building C. Mayor Leonhardt opened the meeting at 9:30 a.m.

Town Council Members present:

Mike Leonhardt, Mayor  
Pat Argyle  
Ken Hansen  
Howard Pope

Others Present:

Kathy Hislop  
Cathie Rasmussen

**1. Roll Call**

Mayor Leonhardt asked for a roll call of Council Members present: Mayor Leonhardt, Council Member Argyle, Council Member Hansen, and Council Member Pope.

**2. Canvass the Results of the Garden City Municipal General Election held November 2, 2021.**

Mayor Leonhardt opened 9 ballots that came in late and were postmarked November 1, 2021.

The ballots were read a loud and votes were tabulated by Cathie Rasmussen who then completed the necessary forms to report the election results. Town council members reviewed and signed the paperwork.

Mayor Leonhardt sealed all ballots, envelopes, and other materials resulting from the election into a box that was signed by each council member present.

Council Member Argyle made the motion to accept the results of the election. Council Member Hansen seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

**3. Adjournment**

Council Member Hansen made the motion to adjourn. Council Member Pope seconded the motion. A vote was taken: Council Member Argyle, for; Council Member Hansen, for; Council Member Pope, for; Mayor Leonhardt, for. Motion Carried.

There being no further business, the Special Meeting of the Garden City Town Council to canvass the election results adjourned at 9:48 a.m.

APPROVAL:

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Michael Leonhardt, Mayor

Attest:

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Cathie Rasmussen, Assistant Town Clerk

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